

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 05-50262
USDC No. 5:04-CV-782
USDC No. 5:01-CR-644-ALL -FB

U.S. COURT OF APPEALS

FILED

FEB 23 2006

CHARLES M. FULBRIGHT
CLERK

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

ANGEL LATORRE,

Defendant-Appellant

Appeal from the United States District Court
for the Western District of Texas

O R D E R:

Angel Latorre, federal prisoner # 28037-180, seeks a certificate of appealability (COA) from the district court's denial of his 28 U.S.C. § 2255 motion, which challenged his convictions for attempting to coerce a minor to engage in criminal sexual activity and traveling in interstate commerce with intent to engage in sexual activity with a juvenile. Latorre seeks relief on the basis of United States v. Booker, 543 U.S. 220 (2005).

Latorre, however, has not shown "that reasonable jurists would find the district court's assessment of the constitutional claims debatable or wrong." See Slack v. McDaniel, 529 U.S. 473,

A true copy
Test

Clerk, U. S. Court of Appeals, Fifth Circuit

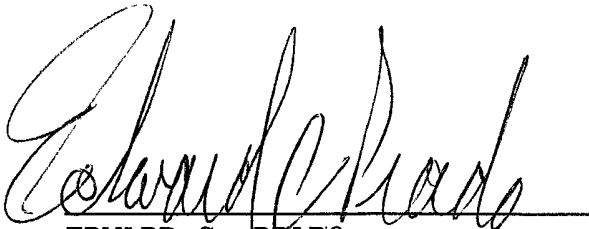
By James Francis novel
Deputy FEB 23 2006

36

New Orleans, Louisiana

O R D E R
No. 05-50262
-2-

484 (2000). Accordingly, Latorre's request for a COA is DENIED.
His request for appointment of counsel is DENIED as moot.



EDWARD C. PRADO
UNITED STATES CIRCUIT JUDGE